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February 12, 2019

FOIA Officer
Environmental Protection Agency
National Headquarters
1200 Pennsylvania Avenue (2822T), NW
Washington, DC 20460
hq.foia@epa.gov

Dear FOIA Officer,

Pursuant to the federal Freedom of Information Act, 5 U.S.C. § 552, I respectfully request records pertaining to the production and export of highly restricted, banned, and unregistered pesticide products and active ingredients. The export of such pesticides is an issue of significant concern both in the US and internationally. The public health burden of the global trade in hazardous pesticides is enormous. Over 200,000 people die from acute poisoning caused by pesticide exposure each year, with 99 percent of these cases occurring in developing countries, according to the United Nations Special Rapporteur on Toxics in 2017. In the US, exporting pesticides that have been banned or never registered domestically due to health concerns continues to be legal. Despite the fact that this is an issue of considerable concern to the public, information regarding it is not publicly available. With this request, I aim to obtain records that can be used to increase public awareness about the Environmental Protection Agency's operations in connection with the export of banned, severely restricted, and unregistered pesticides.

Specifically, I am seeking:

- Information from all Foreign Purchaser Acknowledgement Statements submitted to the Office of Pesticide Programs in 2018, as well as from 2000-2010, including the exporter, product name, active ingredient, and destination country. I am looking for similar information included in response to an earlier FOIA request – FOIA tracking number EPA-HQ –2017-007921 – but for different time periods. The EPA administrator currently involved with processing Foreign Purchaser Acknowledgement Statements is Zoe Emdur - U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue, NW (7506P), Washington, DC 20460.
- Information on the number of Foreign Purchaser Acknowledgement Statements claimed to be confidential as “FIFRA Confidential Business Information” each year between 2010 and 2018.
- Information on the quantities of banned, severely restricted, or unregistered pesticide products or active ingredients that were exported from the US between 2010 and 2018, along with the name of the manufacturers and destinations of the shipments.

If possible, I would prefer to receive the information by email in an electronic format.

To the extent that this request encompasses any documents that contain confidential information, I request that EPA redact portions of the requested documents that are deemed confidential, and disclose redacted documents to the fullest extent possible.

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I meet the requirement for a fee waiver for this FOIA request and request a waiver of fees in relation with this request. I am a graduate student at an institution of graduate higher education and will be using this information in a report that will be published online. In the event that EPA does not waive fees, please notify me about the basis for this decision and provide an estimate of costs.

I should qualify for a fee waiver for several reasons in line with 40 C.F.R. § 2.107(1)(2)(i). First, the subject of the request concerns the activities of the Federal Government, since it will reveal how the Federal Government tracks exports of unregistered pesticides (Factor 1). The disclosure of these records is likely to contribute to improved public understanding of government activities because the information requested does not already exist in any form in the public domain (Factor 2). The disclosure will be of interest to a broad audience and contribute to understanding of government activities and operations (Factor 3). The disclosure will contribute significantly to public understanding of an issue that has received little media attention and about which public understanding is currently minimal (Factor 4). I have no commercial interest in the requested information (Factor 5), and my primary interest is to use the disclosure to promote the public interest (Factor 6). The information requested will be analyzed and disseminated in order to raise awareness about the public health and environmental impacts of exporting severely restricted, unregistered, and banned pesticides.

Thank you for your assistance.

Sincerely,

Sophie Broach